

**B07. Launching a Soil Health
Conservation Easement Program**

Friday, September 16 | 1:30 - 3 p.m.

Balcony I

Session Faculty:

Carissa Shoemaker

Rally 2022: The National Land Conservation Conference
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What is a Soil Health Conservation Easement

A conservation easement is a common legal agreement tied to a property deed that states permitted and prohibited practices for that parcel to protect conservation values. This agreement is legally binding and is attached to the property in perpetuity regardless of who owns the property. The conservation easement is then granted to a charitable land trust or a government agency to ensure the easement provisions are followed.

Soil health conservation easements are designed to protect and preserve topsoil, a precious and lucrative resource that is often exploited and overlooked. The easement provisions are flexible and can account for varying land uses such as row-crop agriculture, pasture, prairie, etc.

The main tenants of soil health conservation easements address the causes of soil degradation by promoting best management practices for healthy topsoil through:

- Continuous Living Roots
- Mitigation of Soil Disturbance
- Mitigation of Soil Erosion

Other provisions may include:

- Livestock Density Restrictions
- Building Restrictions



On agricultural lands, a soil health conservation easement promotes best management practices such as no-till, cover crops, terraces, buffers, waterways, etc. Many of these best management practices are economically beneficial, enabling higher yields, reduced inputs, and reduced erosion.

Benefits

A soil health conservation easement not only protects and preserves natural resources for the future. It also provides tangible benefits in the present. An easement usually decreases the property's fair market value. Therefore, once donated, the easement may be viewed as a charitable act and could result in a tax deduction for the landowner.

Interested in Learning More?

Whiterock Conservancy currently holds the Nation's first-ever soil health conservation easements, covering 2,000 acres with more conservation easements on the horizon. Connect with us to learn more about what a soil health conservation easement could mean for you and your property by emailing easements@whiterockconservancy.org or calling **712.290.8221**.

Meet Our Team

Tyler Bruck
Land Programs Manager

Carissa Shoemaker
Director of Land Stewardship

Checklist for Creating a Soil Health Conservation Easement

- ❑ **Introduction:** Connect with Whiterock Conservancy or a charitable land trust to learn about their organization and determine if their program aligns with your goals. From this conversation talk about:
 - ❑ Describe your land description, operations, vision, and goals for your land in the future.
 - ❑ Provide the legal property description and location.
 - ❑ Get acquainted with the staff who you'll be working with.
 - ❑ What is their process?
 - ❑ What is their role in accepting and monitoring a soil health conservation easement.
 - ❑ What soil health conservation easements do they currently hold?
 - ❑ Review a sample soil health conservation easement?
 - ❑ What is the financial investment of creating a soil health conservation easement?
- ❑ **Site Review:**
 - A physical evaluation of the land with the landowner and Whiterock Conservancy
 - A digital evaluation of the land, soil maps, photos, ag yields, aerial or GIS images, land records etc.
- ❑ **Legal Review:** Retain a lawyer to draft the conservation easement
- ❑ **Tax Review:** Speak with your tax accountant about the financial implications of donating a conservation easement.
- ❑ **Draft the Easement:** Work with the Whiterock Conservancy and your lawyer to draft the easement document.
- ❑ **Baseline Assessment:** Whiterock Conservancy will create baseline documentation for the easement document. Historic farming data and land records may be requested during this process.
- ❑ **Easement donation:** The easement is then granted to Whiterock Conservancy for monitoring purposes.
- ❑ **Record The Easement:** Once the easement is complete, it must be signed and recorded to the county.
- ❑ **Appraisal:** If a tax deduction is taken for the conservation easement value, the landowner must obtain an appraisal



***These steps are not a linear path, and many may occur simultaneously or be re-occurring.*

**** Whiterock Conservancy and its Board of Directors will continually evaluate the Conservation Easement's fit for the organization. Whiterock Conservancy makes no guarantee of acceptance until the Board has a final vote on the Conservation Easement after seeing the final conservation easement document.*

*****A suggested donation of \$20,000 is requested with each conservation easement to help pay for the cost of monitoring the easement in perpetuity*